

REMARKS/ARGUMENTS

Claims 1-14 remain in this application. Claims 1, 3, 7, 8-11, and 13 have been amended. Claim 4 has been cancelled. Support for the amendment to claim 1 can be found in the specification at, for example, page 10, paragraph [0037].

§ 112 REJECTIONS

Claims 3, 7, 9, and 11 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The rejection is respectfully traversed.

Claim 3 was amended to correct the claim dependency and provide antecedent support.

Claim 7 was amended to remove the phrase “adapted to” to make clear how the porous layer ensnares probe molecules.

Claims 9, 10, and 11 were amended to provide proper Markush formats. The amendments to claims 3, 7, and 9-11 overcome or render the rejection moot. According the §112 rejections should be withdrawn.

§ 102 REJECTIONS

Claims 1-3, 5-8, and 12-14 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 5,679,310 (*Manns* '310). The rejection is respectfully traversed.

Manns '310 discloses that the porous material at the bottom of each well is comprised of a microporous, hollow fibrous material (col. 5, lines 31-52).

The instant claim 1, incorporating aspects of cancelled claim 4, recites a porous layer comprised of adhered granular particles. Accordingly, the instant claims are not anticipated by *Manns* '310. Accordingly, the rejection of the claims under §102 should be withdrawn.

Claim 13 was amended to remove potentially objectionable process language and provide structural language. Accordingly, Applicant's representative respectfully

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requests that claim 13 be examined as a proper article or device claim depending from claim 1 and the rejection or objection be removed.

ALLOWABLE SUBJECT MATTER

Applicant's representative notes with thanks the indication that claims 4 and 10 are provisionally allowable. Applicant has amended claim 1 as indicated to include aspects recited in cancelled claim 4. Claim 10 is therefore believed allowable without rewriting into independent form.

CONCLUSION

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to John L. Haack at 607-974-3673

Respectfully submitted,



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